IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: MOORE, et al.

Application Number: 09/084,491 Group Art Unit: 1652

Filed: May 27, 1998 Examiner: E. Slobodyansky

Title: Tissue Plasminogen Activator-Like Protease Attny. Docket No. PF378

DECLARATION OF PAUL MOORE, REINHARD EBNER AND STEVEN RUBEN UNDER 37 C.F.R. § 1.131

Commissioner of Patents
Washington, D. C. 20231

Sir:

Each of the inventors in the captioned application, Paul Moore, Reinhard Ebner, and Craig Rosen declare and state as follows:

1. I am an inventor of the subject matter described and claimed in the above-identified U.S. patent application, which is assigned to Human Genome Sciences, Inc. (HGS). The work described below occurred at HGS which is located in Rockville, Maryland, USA.

2. The above-identified patent application relates to the isolation and characterization of a cDNA encoding a novel gene product designated Tissue Plasminogen Activator-Like Protease ("t-PALP").

3. At least fifty contiguous nucleotides of nucleotide positions 630 to 750 of SEQ ID NO:1, which is disclosed in the captioned application, were determined at HGS prior to May 12, 1997.

4. Attached hereto as Exhibit A is a redacted printout of data from IRIS (the HGS electronic documentation system), identifying a specific sequencing contig designated "HMSIB42X" obtained by sequencing the cDNA clone designated "HMSIB42." The "Date Sequenced" redacted from Exhibit A is prior to May 12, 1997.

5. The HGS clone identifier was used to identify the t-PALP cDNA clone HMSIB42 when it was deposited with the American Type Culture Collection (ATCC) on May 8, 1997, and later was assigned ATCC Accession No. 209023. (*See*, Exhibit B).

6. At least fifty contiguous nucleotides of nucleotide positions 763 to 883 as disclosed in Exhibit A correspond to the sequence disclosed at nucleotide positions 630 to 750 in Figure 1 of the above-identified application, a copy of which is attached herewith as Exhibit C. The cDNA clone HMSIB42 (ATCC Deposit No.209023) and Exhibit A both contain the 50 contigous nucleotides of 630-750 of SEQ ID NO:1 shown in the above-identified application (Exhibit C).

7. I declare further that all statements made in this Declaration are of my own knowledge and are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 1/25/01

Paul A. Moore

Paul A. Moore

Dated: 01/25/2001

Reinhard Ebner

Dated: 1/25/01

Steven M. Ruben

Exhibit B

HGS

Human Genome Sciences, Inc.
Sequence Worksheet
HMSIB42X:

Sequence Information

Gene Name:

HGS Code:

Sequence ID: **HMSIB42X**

Library Name:

Library Catalog:

Date Sequenced:

Lab Sequenced: **HGS**

Group ID:

Class:

Date Scored:

Lab Scored: **HGS**

In Group:

Previous Class:

Search Results

Sequence

```
LOCUS       HMSIB42X
DEFINITION
ORIGIN
        1
       61
      121
      181
      241
      301
      361
      421
      481
      541
      601
      661
      721                                                    GGGCTACG TGCTGGGCAT
      781 TACCATGATG GTGATCATCA TTGCCATCGG AGCTGGCATC ATCTTGGGCT ACTCCTACAA
```

841 GAGGGGGAAG GATTTGAAAG AACAGCATGA TCAGAAAGTA TGT
901
961
1021
1081
1141
1201
1261
1321
1381
1441
1501
1561
1621
1681
1741
1801
1861
1921
1981
2041
2101
2161
2221
2281
2341
2401

Sequence Notes

American Type Culture Collection

12301 Parklawn Drive • Rockville, MD 20852 USA • Telephone: 301-231-5519 or 231-5532 • FAX: 301-816-4366

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

INTERNATIONAL FORM

RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2

MAY 10 '97

HGS PATENT DEPT.

To: (Name and Address of Depositor or Attorney)

Human Genome Sciences, Inc.
Attn: Robert H. Benson
9410 Key West Avenue
Rockville, MD 20850

Deposited on Behalf of: Human Genome Sciences, Inc. (Docket Nos. PS029 and PF378)

Identification Reference by Depositor:	ATCC Designation
DNA Plasmid HMS1842	209023

The deposits were accompanied by: __ a scientific description __a proposed taxonomic description indicated above.

The deposits were received May 8, 1997 by this International Depository Authority and have been accepted.

AT YOUR REQUEST:

X We will inform you of requests for the strains for 30 years.

The strains will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strains, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strains.

If the cultures should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace them with living cultures of the same.

The strains will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the cultures cited above was tested May 15, 1997. On that date, the cultures were viable.

International Depository Authority: American Type Culture Collection, Rockville, Md. 20852 USA

Signature of person having authority to represent ATCC:

Barbara M. Hailey

Barbara M. Hailey, Administrator, Patent Depository

Date: May 15, 1997

BP4/9

Figure 1
t-PALP
1/3

```
   1  TTACCAGAACAGCATAACAAGGGCAGGTCTGACTGCAAGCTGGGACTGGGAGGCAGAGCC   60

  61  GCCGCCAAGGGGGCCTCGGTTAAACACTGGTCGTTCAATCACCTGCAAGACGAAGAGGCA  120

 121  AGGATGCTGTTGGCCTGGGTACAAGCATTCCTCGTCAGCAACATGCTCCTAGCAGAAGCC  180
   1    M  L  L  A  W  V  Q  A  F  L  V  S  N  M  L  L  A  E  A     19

 181  TATGGATCTGGAGGCTGTTTCTGGGACAACGGCCACCTGTACCGGGAGGACCAGACCTCC  240
  20  Y  G  S  G  G  C  F  W  D  N  G  H  L  Y  R  E  D  Q  T  S     39

 241  CCCGCGCCGGGCCTCCGCTGCCTCAACTGGCTGGACGCGCAGAGCGGGCTGGCCTCGGCC  300
  40  P  A  P  G  L  R  C  L  N  W  L  D  A  Q  S  G  L  A  S  A     59

 301  CCCGTGTCGGGGGCCGGCAATCACAGTTACTGCCGAAACCCGGACGAGGACCCGCGCGGG  360
  60  P  V  S  G  A  G  N  H  S  Y  C  R  N  P  D  E  D  P  R  G     79

 361  CCCTGGTGCTACGTCAGTGGCGAGGCCGGCGTCCCTGAGAAACGGCCTTGCGAGGACCTG  420
  80  P  W  C  Y  V  S  G  E  A  G  V  P  E  K  R  P  C  E  D  L     99

 421  CGCTGTCCAGAGACCACCTCCCAGGCCCTGCCAGCCTTCACGACAGAAATCCAGGAAGCG  480
 100  R  C  P  E  T  T  S  Q  A  L  P  A  F  T  T  E  I  Q  E  A    119

 481  TCTGAAGGGCCAGGTGCAGATGAGGTGCAGGTGTTCGCTCCTGCCAACGCCCTGCCCGCT  540
 120  S  E  G  P  G  A  D  E  V  Q  V  F  A  P  A  N  A  L  P  A    139

 541  CGGAGTGAGGCGGCAGCTGTGCAGCCAGTGATTGGGATCAGCCAGCGGGTGCGGATGAAC  600
 140  R  S  E  A  A  A  V  Q  P  V  I  G  I  S  Q  R  V  R  M  N    159

 601  TCCAAGGAGAAAAAGGACCTGGGAACTCTGGGCTACGTGCTGGGCATTACCATGATGGTG  660
 160  S  K  E  K  K  D  L  G  T  L  G  Y  V  L  G  I  T  M  M  V    179

 661  ATCATCATTGCCATCGGAGCTGGCATCATCTTGGGCTACTCCTACAAGAGGGGGAAGGAT  720
 180  I  I  I  A  I  G  A  G  I  I  L  G  Y  S  Y  K  R  G  K  D    199

 721  TTGAAAGAACAGCATGATCAGAAAGTATGTGAGAGGGAGATGCAGCGAATCACTCTGCCC  780
 200  L  K  E  Q  H  D  Q  K  V  C  E  R  E  M  Q  R  I  T  L  P    219

 781  TTGTCTGCCTTCACCAACCCCACCTGTGAGATTGTGGATGAGAAGACTGTCGTGGTCCAC  840
 220  L  S  A  F  T  N  P  T  C  E  I  V  D  E  K  T  V  V  V  H    239

 841  ACCAGCCAGACTCCAGTTGACCCTCAGGAGGGCAGCACCCCCCTTATGGGCCAGGCCGGG  900
 240  T  S  Q  T  P  V  D  P  Q  E  G  S  T  P  L  M  G  Q  A  G    259
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Figure 1
t-PALP
2/3

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901  ACTCCTGGGGCCTGAGCCCCCCCCAGTGGGCAGGAGCCCATGCAGACACTGGTGCAGGACA  960
260  T  P  G  A  *                                                  263

961  GCCCACCCTCCTACAGCTAGGAGGAACTACCACTTTGTGTTCTGGTTAAAACCCTACCAC  1020

1021 TCCCCCGCTTTTTTGGCGAATCCTAGTAAGAGTGACAGAAGCAGGTGGCCCTGTGGGCTG  1080

1081 AGGGTAAGGCTGGGTAGGGTCCTAACAGTGCTCCTTGTCCATCCCTTGGAGCAGATTTTG  1140

1141 TCTGTGGATGGAGACAGTGGCAGCTCCCACAGTGATGCTGCTGCTAAGGGCTTCCAAACA  1200

1201 TTGCCTGCACCCCTGGAACTGAACCAGGGATAGACGGGGAGCTCCCCCAGGCTCCTCTGT  1260

1261 GCTTTACTAAGATGGCTCAGTCTCCACTGTGGGCTTGAGTGGCATACACTGTTATTCATG  1320

1321 GTTAAGGTAAAGCAGGTCAAGGGATGGCATTGAAAAAATATATTTAGTTTTTAAAATATT  1380

1381 TGGGATGGAACTCCCTACTGACCTCTGACAACTGGAAACGAGTTTGTACTGAAGTCAGAA  1440

1441 CTTTGGGTTGGGAATGAGATCTAGGTTGTGGCTGCTGGTATGCTTCAGCTTGCTGGCAAT  1500

1501 GATGTGCCTTGACAACCGTGGGCCAGGCCTGGGCCCAGGGACTCTTCCTGTTTCATAAGG  1560

1561 AAAGGAAGAATTGCACTGAGCATTCCACTTAGGAAGAGGATAGAGAAGGATCTGCTCCGC  1620

1621 CTTTGGCCACAGGAGCAGAGGCAGACCTGGGATGCCCCAGTTTCTCTTCAGGGATGGATA  1680

1681 GTGACCTGTCTTCATTTTGCACAGGTAAGAGAGTAGTTAGCTAACCTATGGGAATTATAC  1740

1741 TGTGGGGCCTTGTGAGCTGCTTCTAAGAGGCTAACCTGGAAACTAAGCTCAGAGGCAAGG  1800

1801 TAATAAAGCACTTCAGGGCTTGCTCCCCAAGTGGGCCTGATTTAGCAGGTGGTCTGCGGG  1860

1861 CGTCCAGGTCAGCACCTTCCTGTAGGGCACTGGGGCTAGGGTCACAGCCCCTAACTCATA  1920

1921 AAGCAATCAAAGAACCATTAGAAAGGGCTCATTAAGCCTTTTGGACACAGGACCCCAGAG  1980

1981 AGGAAAAAGTGACTTGCCCAAGGTCGTAAGCAAGCTACTGGCATGGCAAGAGCCCAGCTT  2040

2041 CCTGACGGAGCGCAACATTTCTCCACTGCACTGTGCTAGCAGCTCAGCAGGGCCTCTAAC  2100
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Figure 1
t-PALP
3/3

```
2101  CTGTGATGTCACACTCAAGAGGCCTTGGCAGCTCCTAGCCATAGAGCTTCCTTTCCAGAA  2160

2161  CCCTTCCACTGCCCAATGTGGAGACAGGGGTTAGTGGGGCTTTCTATGGAGCCATCTGCT  2220

2221  TTGGGGACCTAGACCTCAGGTGGTCTCTTGGTGTTAGTGATGCTGGAGAAGAGAATATTA  2280

2281  CTGGTTTCTACTTTTCTATAAAGGCATTTCTCTATAAAAAAAAAAAAAA  2329
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